IN THE
DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

EURA MAE HIGGINBOTHAM GREEN, ET AL

VS

TEXAS GULF SULPHUR COMPANY, KYLE INVESTMENT CO., ET AL

CIVIL NO. 4901

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For the Plaintiffs

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App. 2

District Court Opinion 11/21/66

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HON. WAGGONER CARR
Attorney General of Texas
Austin, Texas
For the Defendants

Be it remembered that the above styled and numbered cause came on for hearing on the motion of Defendants for Summary Judgment filed pursuant to Rule 56 of the Federal Rules of Civil Procedure, and the Court having heard and considered the pleadings, the evidence consisting of depositions, answers to interrogatories and affidavits all filed in this cause; the briefs and oral argument of counsel, and it appearing to the Court that there is no genuine issue as to any material fact, and that the undisputed facts disclose the following history of the case.

The plaintiffs claiming as heirs of William Humphrey filed this action on June 26, 1965, to recover 7/9 of the minerals in the league of land granted by the State of Coahuila and Texas to William or Pelham Humphries.

The Humphries league involved in this action is the only Spanish league that was granted by valid title to any person by the name of Humphries.

The plaintiffs allege that William Humphrey obtained the required certificate of good character on September 27, 1834; that he made application for one league; that the league involved was granted to him on the 14th of February, 1835; that because of the grant of the league to him he thereafter became entitled to additional land from the Republic of Texas; and that on the 16th of February, 1838, the certificate for the additional land was issued to him.

On the same day that plaintiffs allege that William Humphrey obtained the certificate of character and made application for the league, September 27, 1834, he with one John Crippen executed a bond for title obligating themselves to convey the two leagues (less 1,000 acres), for which they had on that day made application, to William Inglish and Wyatt Hanks.

On the 14th of February, 1836, William Humphries by general warranty deed conveyed the league to William Inglish. This deed was witnessed by Edwin O. LeGrand and Jonathan Anderson, was acknowledged by William Humphries before John G. Love, Primary Judge for the Municipality of San Augustine, was later proven up for record by the oath of Jonathan Anderson, and was recorded in the deed records of Jefferson County, Texas, in 1860. The original of this deed, which was exhibited to the Court, is in the possession of Gulf Oil Corporation which holds under W. P. H. McFaddin to whom the land was deeded by the heirs of William Inglish in 1883 by deed records of Jefferson County, Texas. A sworn photocopy of this original deed and a duly certified copy of the record of said deed were duly filed among the papers in this cause several weeks before this hearing. Plaintiffs filed an affidavit of forgery (based on belief) against the genuineness of this deed but presented no admissible evidence by affidavit or otherwise to sustain their plea.

After recording his 1883 deed from the heirs of William Inglish, McFaddin in 1884 fenced the entire league except its east boundary, which was the neches River, itself a barrier to cattle crossing to or from the league. After fencing it, McFaddin used the league for farming, for pasturing and for other purposes generally year in and year out from early 1884 down to the filing of this action.

In addition to cultivation and pasturing, McFaddin built a ranch house and tenant houses and other improvements on the land which have remained there continuously from about the middle of 1884 until this suit was filed. He executed a mineral lease in 1900 to A. F. Lucas under which the first of the numerous Spindletop oil field wells was drilled. This was the "Lucas gusher" brought in on January 10, 1901. Under other leases to T. H. Bass, Unity Oil Company and Yount-Lee Oil Company, there has been continuous oil production under the McFaddin title without cessation since January 10, 1901. And hundreds of large oil tanks and other usual equipment of oil fields have been upon the land for thirty years or more.

In the latter part of 1949 under McFaddin leases Texas Gulf Sulphur Company, a defendant, discovered sulphur in the league in marketable quantities. The company drilled at least 75 wells to bleed out the cold, salt-heavy water so that super-heated water could be forced into the formation to melt and thus produce the sulphur. When the cold water was removed, Texas Gulf Sulphur began producing sulphur from the land in April, 1956, after which time more than 300 sulphur producing wells have been drilled and used in the daily and continuous sulphur production. Since the first oil was produced in 1901 and since the sulphur operations began in 1949 and actual production in 1956, oil or sulphur or both have been produced without cessation.

The affidavits and depositions on file and record evidence which is not controverted by eompetent affidavits or otherwise establish indisputably that from early 1884 down to the filing of this suit, a period of more than 80 years, McFaddin and his successors in interest have used the land continuously without any break, under deeds duly

registered, describing the entire survey, paying taxes, with definite assertion of title at all times to all of said property without in any manner recognizing any claim asserted by anyone else. The undisputed facts show continuous adverse possession of said land by W. P. H. McFaddin and his successors in interest under claim of right, and payment of taxes for continuous periods of five, ten and twenty-five years before the filing of this suit by plaintiffs, which establish without dispute full and perfect title in the defendants against the world.

During the more than 100 year period after February 14, 1836, when William Humphries conveyed the league to William Inglish nothing in the record indicates that the plaintiffs, their lineage predecessors, or any of them, ever paid any taxes on any part of the league nor had possession of or exercised any character of claim with respect to any of it. There was complete non-claim to and non-use of any part of the league by any of the plaintiffs or anyone under whom they claim.

The Court makes the following specific findings of fact and conclusions of law:

FINDINGS OF FACT

1.

On February 14, 1836, William Humphries executed the deed to all of the league in controversy to William Inglish.

2.

W. P. H. McFaddin and his successors in interest, including the defendants, have had peaceable and adverse possession of all of the property in controversy for more than 80 years prior to the filing of this suit.

3.

W. P. H. McFaddin and his successors in title have paid all taxes before delinquency for periods of more than twenty-five consecutive years during the period of adverse possession.

4.

A complete non-use of the land, or any part of it, by the plaintiffs and those from whom they claim from February 14, 1836 to date, and a total absence of claim from February 14, 1836 down to at least the year 1952.

CONCLUSIONS OF LAW

1.

The ancient deed from William Humphries to William Inglish, and the ancient record thereof, exhibited to and filed with the Court, establish the execution of the deed and its genuineness, and there is no evidence that the deed was forged. So any plaintiff claiming as an heir of William Humphries cannot recover.

2.

W. P. H. McFaddin and his successors, including all of the defendants herein, have had such continuous, peaceable and adverse possession, claim to, and use of the league in controversy as has vested in them full and perfect title thereto under the five, ten and twenty-five year statutes of limitations of the State of Texas, precluding any claims of plaintiffs and forever barring plaintiffs from recovery of any of said league.

Because of the failure of the plaintiffs and their predecessors to assert claim to the league, to use it, to pay taxes, or to assert any dominion with respect thereto for more than 100 years after 1836, in accordance with the foregoing findings of undisputed facts, during the first 4 years of which period a parol conveyance of the land was valid, it is conclusively presumed as a matter of law that plaintiffs have no title to any of the league.

Therefore, as under the undisputed and uncontroverted facts the plaintiffs have failed to show title to any of the league in controversy and as defendants have shown title thereto, the motion of defendants for summary judgment is in all things granted. Judgment will be entered for the defendants.

ENTERED this 21 day of November, 1966, in Beaumont, Texas.

JOE J. FISHER
UNITED STATES DISTRICT JUDGE

IN THE
DISTRICT COURT OF THE UNITED STATES
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

EURA MAE HIGGINBOTHAM GREEN, ET AL

VS.

TEXAS GULF SULPHUR COMPANY, KYLE INVESTMENT CO., ET AL

CIVIL NO. 4901

(Filed December 5, 1966)

Be it Remembered: This action came on for hearing on defendants' motion for summary judgment, and the court having granted said motion, and having filed Findings of Fact and Conclusions of Law herein, accordingly, it is the order, judgment and decree of the court that the plaintiffs herein take nothing by this suit to recover from the defendants the title to and possession of, and all other relief sought by plaintiffs with respect to the minerals in the league of land in Jefferson County, Texas, alleged by plaintiffs to have been titled on February 14, 1835, by The State of Coahuila and Texas to William Humphries, sometimes referred to as Pelham Humphries, as appears from the original grant in Volume 22, pages 307-310, inclusive, in the General Land Office of The State of Texas, at Austin, Texas; and all of the rights, titles, interests, and claims of plaintiffs are divested out of them and vested in defendants who shall have their writs of possession and

such other process when and as often as may be necessary to enforce this decree.

The names of all of the plaintiffs in this cause are:

Eura Mae Higginbotham Green and husband, Hillard M. Green
Effie Mae Dollar and husband, Lynn Dollar
Elsie M. Gentle and husband, Russell Gentle
Lucille H. Guthrie and husband, Jackson Guthrie
Hermon C. Higginbotham and wife, Bessie Higginbotham
Samuel Ollis Higginbotham and wife, Louise Higginbotham
Franklin Harrelton Higginbotham and wife, Ruth Higginbotham
Cecil Ray Higginbotham and wife, Mary Higginbotham
Jack Higginbotham and wife, Harvey Bell Higginbotham
Thomas D. Higginbotham and wife, Mamie Higginbotham
Bernice B. Humphrey, a feme sole
Clemuel Roy Johnson and wife, Eunice Johnson
Willie Arthur Johnson and wife, Jewell Johnson
Sybil M. Jones, a widow
Beulah H. Knowles and husband, Henry C. Knowles
Eulis Frank Lee and wife, Sue Lee
Esther H. Lee and husband, Emmett Lee
Lena H. McKnight and husband, George McKnight
Wesley Buell Morrison and wife, Bertha Morrison
Clifton Morrison and wife, Ella Morrison
Russell Morrison and wife, Maude Morrison
Mary N. Nance and husband, Marvin C. Nance
Cora L. Noah, a widow
Odera Morrison Pate and husband, Levi Pate
Cordie Penny and husband, Gilbert D. Penny
Francis Roberts, a widow
Tula H. Scott and husband, Leonard Scott
Julia B. Stinson and husband, Thomas Stinson

Wilfred Henry Webb and wife, Myra Webb
Maude W. Voorhies and husband, S. O. Voorhies
E. M. Adcock and wife, Mary Lou Adcock
Barbara Ann Bickford and husband, Lonnie Edward Bickford
Odie Blaylock and wife, Hazel Blaylock
Mrs. Della Brown, a widow
Mattie Jean Cates and husband, Dock E. Cates
Ollie R. Certain, a widow
Autnia Lou Conner and husband, William Monroe Conner
Marjorie R. Clark and husband, Edward Clark
Dollie R. Cope and husband T. Winfield Cope
Carl Easterly and wife, Margaret Mason Easterly
Lillie Mae Easterly, a widow
Elizabeth S. Green and husband, Charles Green
Sarah R. Grisson and husband, Howard Grissom
Estie F. Green, a widow
Ammon F. Humphrey and wife, Lela Humphrey
Charlie R. Humphrey and wife, Joyce Humphrey
Ernest Humphrey and wife, Beatrice Humphrey
Luther Humphrey and wife, Pauline Humphrey
Willie Humphrey and wife, Ava Humphrey
Lovener Humphrey, single
Gaither Keener and wife, Hettie McWilliams Keener
Flossie H. Keener, a widow
Martha Louise McCormick and husband, Morris McCormick
Kassie R. McBride and husband, Dewey McBride
Mary Miller, a feme sole
Mrs. Lillie C. Roberts, a widow
Frank Roberts, single
Hosea B. Roberts, single
Clarence Roberts and wife, Winnie Roberts
Reece Roberts and wife, Berta Roberts

Ruth Maffitt Roberts, a widow
Silas Roberts and wife, Ona Mae Roberts
Willus C. Roberts and wife, Sallie Roberts
Mrs. Allie Ruehling, a widow
Louise Swindell, a feme sole
Charles H. Walling and wife, Vicie R. Walling
John A. Walling and wife, Audie B. Walling
Austie F. Wheeler and husband, Luther Wheeler

The defendants in this cause are:

* The names in brackets are recited as the name appears in plaintiffs' petition.

Texas Gulf Sulphur Company
Kyle Investment Company
Lower Neches Valley Authority
Boehck Engineering Company
Central Freight Lines, Inc.
Spindletop Engineering & Construction Company
Wallace Company, Inc.
Jeff Chaison Townsite Company
Gulf States Utilities Company
Unity Oil Company
Texas Eastern Transmission Corporation
Magnolia Petroleum Company
Oakwood Realty Company
Texas & New Orleans Railway Company
DuPoint DeNemours and Company
Texaco, Inc. (The Texas Company)
S. & E. T. Railway Company (T & NO RR CO)
Kansas City Southern Railway Company
Socony Mobil Oil Company, Incorporated
Pan American Petroleum Corporation
Indiana Oil Purchasing Company
Gulf Oil Corporation

Gulf Refining Company
Sun Oil Company
Sun Pipeline Company
Reconstruction Finance Corporation
American National Bank of Beaumont
The Frost National Bank
The Estate of E. L. Nall, Deceased
The Estate of Mrs. Lola A. Nall, Deceased
Agnes Nall Parks and Angie Nall, Executrixes of the Estate of Mrs. Lola A. Nall, Deceased
Estate of Mary Weed Fletcher, Deceased
Jack L. Fletcher, Executor and Trustee of the Mary Weed Fletcher Trust
Jack L. Fletcher, Individually
Agnes Nall Parks, Individually
Angie Nall, Individually
Estate of Margaret Weed Jackson, Deceased
Bruce M. Jackson, Executor of the Estate of Margaret Weed Jackson, Deceased
Bruce M. Jackson, Individually
Estate of Marrs McLean, Deceased
McLean Trust
Ruth McLean Bowman, Executrix of the Estate of Marrs McLean, Deceased and Trustee of the McLean Trust
Ruth McLean Bowman, Individually
Estate of R. E. Masterson, Deceased
Kate C. Masterson, Executrix of the Estate of R. E. Masterson, Deceased
Kate C. Masterson, Individually
American National Bank, individually and as Trustee of the Estate of R. E. Masterson, Deceased
Estate of B. D. Moore, Deceased
B. D. Moore, Jr., and Charles H. Moore, Executors and Trustees of the Estate of B. D. Moore, Deceased

B. D. Moore, Jr., Individually
Charles H. Moore, Individually
Estate of Gladys B. Price, Deceased
J. Barr (Bain) Price, Sr., Executor of the Estate of Gladys B. Price, Deceased
J. Barr (Bain) Price, Sr., Individually
Estate of L. Lillie Pierce, Deceased
Mrs. L. L. Johnson, Individually and as Executrix of the Estate of L. Lillie Pierce, Deceased
Stella Oil Company
Jerry Hesler McNeill, Jr.
Jack Gober McNeill
Cora Lee Naylor
W. I. Naylor
Mrs. Marie Bordages
J. D. Bordages
Mrs. Edward B. (Ethel) Hebert, a widow
Louis M. Hebert
Clarfey J. Hebert
Harry M. Hebert
Miss Eye Hebert, a feme sole
Mrs. Seth J. Hebert, a widow
Emelie C. Viterbo
V. D. Viterbo
Rosa Leicht
Harry Leicht
Fayette A. Leard, surviving husband of Mrs. Fayette A. Leard
W. P. H. McFaddin, Jr. (W. P. H. McFadden, Jr.)
J. L. C. McFaddin (J. L. C. McFadden)
Mamie McFaddin Ward, a widow (Mamie McFadden Ward, a widow)
Perry McFaddin Duncan (Percy McFadden Duncan)
Mrs. Clyde W. Kyle, Sr., a widow

W. W. Kyle, Jr. and wife, Carol T. Kyle
Brudge E. Kyle and wife, Jules H. Kyle
Percy Alexander Marshall
Signora M. Munday and husband, Robert T. Munday
Henry Lee Levy
Isadore Feinbert
Ada Roos and husband, Henry Roos
Mrs. Lillie Roos, a widow
Aileen Roos Vener and husband, Henry Vener
Clifton L. Bruner
J. T. Shelby
Mrs. Louise Duff
F. M. Hebert
Mary Autry Higgins
E. G. Bartlett
Mrs. Camelia B. McFaddin, a widow (Mrs. Camelia B. McFadden, a widow)
DiVernon McFaddin Cordts and husband, E. G. Cordts
Margaret L. Lorenz
William H. Tinlin
Mrs. Tony (Lilly) Tortorise, a widow
Mrs. Margaret Plumbo, a widow
Dr. William A. Smith
J. P. Friedman
Edna E. Myers
C. Frank Myers
Scott W. Myers
Walter F. Myers, Individually and as Trustee for unknown persons to the plaintiffs
Wheeler Nazro
Jessie Pugh
Charles R. Crocker
The Sealy & Smith Foundation
Hortense Pollock

Sol Dreyfus
R. Liebman
Martin Wiess
Edith Josephine Wather, a widow
Elsie C. Freeman and husband, O. B. Freeman
Cordelia Wolf, a widow
Bessie Myers and husband, Winfield Myers
Leoma Richardson and husband, R. N. Richardson
Max Geottinger
Amelia B. McDaniel
George W. McDaniel
J. B. McAdams
Lavania P. McDaniel
Robert H. McDaniel
Sallie P. Willis

It is further ordered, adjudged and decreed that Jerry Sadler, the Commissioner of the General Land Office of the State of Texas, is dismissed as a defendant from this cause, all other orders on pleas and motions heretofore granted or denied are confirmed and merged into this decree; and all motions and pleas not heretofore determined are in all things denied. All parties, plaintiffs, defendants, cross-defendants and intervenors, except those whose names are above set out, and all causes of action not specifically disposed of herein, are in all things dismissed from this cause without prejudice. It is further ordered, adjudged and decreed that all costs in this cause be taxed against the above named plaintiffs for which execution may issue.

Rendered and ordered entered on this 5th day of December, 1966.

/s/ Joe J. Fisher
United States District Judge

IN THE
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

NO. 24854

EURA MAE HIGGINBOTHAM GREEN, ET AL,
Appellants,

versus

THE TEXAS GULF SULPHUR COMPANY, ET AL,
Appellees.

Appeal from the United States District Court for the Eastern District of Texas.

(April 9, 1968.)

Before JONES, WISDOM and THORNBERRY, Circuit Judges.

THORNBERRY, Circuit Judge: This diversity suit is the third in a trilogy concerning the ownership of the Humphries survey. *See Humphries v. Texas Gulf Sulphur Company*, No. 24,985 (, 1968); *Beasley v. W. P. H. McFaddin*, No. 24,977 (, 1968). The heirs in this case claim only a mineral interest. They urge first that a tax deed in 1850 vested title in the State of Texas and second that if they could have the tax deed set aside, they would be entitled to the minerals rather than appellees. Appellants joined the Commissioner of the General Land

Office and sought a declaratory judgment that the tax deed was invalid. The State of Texas moved to dismiss the Commissioner on the ground of sovereign immunity, and the final judgment of the district court so ordered. The heirs attack this dismissal, contending that the suit could not properly be determined without consideration of the tax deed. Following his opinion in the *Humphries* and *Beasley* cases the trial judge granted appellees' summary judgment without commenting on the validity of the tax deed.

If the tax deed simply vested title in the State of Texas, the well-settled doctrine that a party in a trespass-to-try-title action must recover on the strength of his own title, not the weakness of his opponents', would preclude appellants' recovery. Thus their only relevant argument is that the tax deed was invalid and that the dismissal of the State of Texas on grounds of sovereign immunity was improper under *McGuire v. Sadler*, 5th Cir. 1964, 334 F.2d 902 and requires a remand to determine the validity of the tax deed. Whatever the soundness of that argument, our reasoning in *Humphries* and *Beasley* confirms that all Humphries heirs are without title and renders a remand unnecessary. Appellants cannot use the shield of sovereignty to escape the conclusive effect of their own 125 years of complete non-claim.

AFFIRMED.

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

October Term, 1967

No. 24854

D. C. Docket Nos. CA 4901, 4916 and 4982

EURA MAE HIGGINBOTHAM GREEN, ET AL,
Appellants,

versus

THE TEXAS GULF SULPHUR COMPANY, ET AL,
Appellees.

Appeal from the United States District Court for the Eastern District of Texas.

Before JONES, WISDOM and THORNBERRY, Circuit Judges.

JUDGMENT

This cause came on to be heard on the transcript of the record from the United States District Court for the Eastern District of Texas, and was argued by counsel;

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed;

It is further ordered and adjudged that the appellants, Eura Mae Higginbotham Green, and others, be condemned, in solido, to pay the costs of this cause in this Court for which execution may be issued out of the said District Court.

April 9, 1968

Issued as Mandate: June 27, 1968

IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

NO. 24854

EURA MAE HIGGINBOTHAM GREEN, ET AL,
Appellants,

versus

THE TEXAS GULF SULPHUR COMPANY, ET AL,
Appellees.

Appeal from the United States District Court for the Eastern District of Texas.

ON PETITION FOR REHEARING EN BANC

(June 19, 1968)

(Filed June 19, 1968)

Before JONES, WISDOM and THORNBERRY, Circuit Judges.

PERCURIAM:

The Petition for Rehearing is DENIED and no member of this panel nor Judge in regular active service on the Court having requested that the Court be polled on rehearing en banc, Rule 25(a), subpar. (b), the Petition for Rehearing En Banc is DENIED.

Opinion and Order, 5/20/1885

NO. 682

Heirs of William alias Pelham Humphries, Deceased vs. Henry E. Simpson, et al.	11th day of the Term District Court Jefferson County, May Term. May 20th, 1885.

And now on this day came the plaintiffs Mrs. Jane McFaddin (widow) Mahala Coble, and her husband, Thomas Coble, by their attorney, Tom J. Russell, and Thomas Anderson minor son of Garrison Anderson, and his wife Amanda Anderson, Deceased, who was a daughter of Wm. Humphries deceased by his special guardian and attorney ad litem, T. J. Russell, and announced ready for trial, and the defendants all came not viz: James Ingalls, Sr., Mollie E. Langham, Wife of James B. Langham, Jr. who joined her in this suit and only heirs of Henry E. Simpson, Deceased, and Mary Brewer, surviving wife of Elisha O. Brewer, deceased, the heirs of James L. Dollas, deceased, viz: J. W. Dollas, J. C. Dollas, W. A. Dollas and M. Epsie Dwyer (formerly Dollas joined in this suit by her husband W. E. Dwyer; the heirs of William English (alias Inglish) deceased, viz R. B. English, George English, Elizabeth English, Howard Anderson, Elizabeth Anderson, William L. Fite, Pamela Fite, Marana Epps, Soliva Whetstone, Warnick Whetstone, Miranda Smith, William English, Fletcher English, William W. English, John B. English, Evalina Davis, and her husband Thomas L. Davis, and the defendant M. W. Humphries and the heirs of S. B. Dozier, deceased, viz: W. A. W. Dozier, Billie Dozier,

A. S. Theriott and Lucy Theriott, all of which defendants had filed answers and pleadings in this cause, as appear of record, but having appeared not and made no further defense and the said plaintiffs heirs of William Humphries by their attorney, and guardian as aforesaid having waived a jury and submitted the cause, and the matters of fact, as well as of law to the court and the court having heard all the pleadings of the plaintiffs and of said defendant read and having heard the evidence plaintiffs, and considered the same, finds the facts and the law to be for the plaintiffs. Whereupon it is ordered, adjudged and decreed that the said above named plaintiffs do have and recover of said above named defendants, all and singular of the lands and premises described in plaintiffs petition, to wit: One League of land situate in the County of Jefferson, and State of Texas, and being the same which was, on the 14th day of February, A.D. 1835, granted by the government of Mexico, Pelham (alias William Humphries the ancestor of Plaintiffs and is described as follows to wit: On the West bank of the River Neches, and beginning at the corner of J. W. Bullock and John A. Veatch surveys, an oak tree, 9 inches in diameter bears South 10° West 25 varas Distant. Thence South 45° West 7111 varas made second corner by mound and stakes in prairie; thence East 7320 varas made third corner, mound and stakes in prairie; thence North 5208 varas made the fourth corner in a Marsh; thence West 2300 varas to fifth corner and thence west 198 varas to the place of beginning—together with all the rights, members, heridetaments and appurtenances to said league of land belonging or in any wise incident and it is ordered and adjudged that said plaintiff have their writ of possession and have restitution of said premises and have and recover of said defendants all the costs in this behalf expended. And that execution may issue for the same in

favor of the plaintiffs and in favor of the officers of the Court. And it is further ordered and decreed that the plaintiffs and defendants respectively be permitted to withdraw from the records of this court their title papers filed in this cause, upon their leaving on file certified copies in lieu thereof.

Thereupon Court adjourned until tomorrow morning at 9 o'clock.

THE STATE OF TEXAS }
COUNTY OF JEFFERSON }

I. R. E. COWAN, Clerk, District Courts, in and for Jefferson County, Texas, do hereby certify that the above and foregoing is a true and correct copy of Final Judgment in Cause No. 682, styled HEIRS OF WILLIAM ALIAS PELHAM HUMPHRIES, DECEASED VS. HENRY E. SIMPSON, ET AL., as the same appears of record in Volume F, page 419 of the Civil Minutes, 58th Judicial District Court, and remains on file in my office.

Witness my hand and seal of Court, at office, in Beaumont, Texas, this the 21 day of February, A.D. 1952.

R. E. COWAN, CLERK, DISTRICT
COURTS, JEFFERSON COUNTY, TEXAS.
BY /s/ Joe A. Hulgan DEPUTY.

[S E A L]